

1
2 UNITED STATES DISTRICT COURT
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 **RICHARD B. DYE,**

6 **Plaintiff,**

7 v.

8 **MEDICAL BOARD OF CALIFORNIA, et al.**

9 **Defendants.**
10

Case No. 17-cv-04370-YGR

**ORDER REJECTING FILING AND DENYING
ALL OTHER REQUESTS AS MOOT**

Dkt. Nos: 3 and 6.


11 On August 2, 2017, Richard B. Dye, M.D., proceeding *pro se*, filed a complaint against the
12 Medical Board of California, *et al.* (Dkt. No. 1, Complaint.) On August 10, 2017, the Court found
13 the Complaint was related to *Dye v. Medical Board of California*, 16-cv-03942-YGR (*Dye I*). (Dkt.
14 No. 7.) *Dye I* was dismissed with prejudice on September 28, 2016. (*Dye I* at Dkt. No. 16.) Dye
15 attempted to file an “amended complaint” on July 17, 2017, (*id.* at Dkt. No. 18), which this Court
16 rejected (*id.* at Dkt. No. 25).

17 The Court finds that the instant Complaint arises from the same conduct, alleges the same
18 claims, and is brought against the same defendants as *Dye I*. Accordingly, the Court **REJECTS**
19 plaintiff’s Complaint and all other filings (Dkt. Nos. 3, 6) as this case was dismissed with prejudice
20 on September 28, 2016 and again on July 25, 2017. Leave to amend was not granted. All others
21 requests are **DENIED** as moot. The Court advises plaintiff that he cannot effectuate a runaround of
22 this Court’s prior dismissal with prejudice merely by filing a “new” case which alleges the same
23 violations against the same defendants.

24 The Clerk shall close the file.

25 **IT IS SO ORDERED.**

26 Dated: August 14, 2017
27
28


Hon. Yvonne Gonzalez Rogers
United States District Court Judge